

~~CONFIDENTIAL~~

REVIEW OF FREEDOM OF INFORMATION ACTION

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)	
Southwestern Bell Telephone Company)	
Tariff F.C.C. No. 73)	Transmittal No. 2489
)	CC Docket No. 95-158
Request for Confidential Treatment)	

MOTION TO WITHDRAW APPLICATION FOR REVIEW OF
SOUTHWESTERN BELL TELEPHONE COMPANY

Southwestern Bell Telephone Company (SWBT), pursuant to 47 C.F.R. Section 1.41, hereby respectfully requests that its Application for Review of the Order Initiating Investigation,¹ filed by SWBT on October 20, 1995, be withdrawn. The material for which confidential treatment was requested has now been returned to SWBT by the Common Carrier Bureau (Bureau). Therefore, SWBT asks that its request for confidential treatment be withdrawn, and that subsequently, its application for review should now be allowed to be withdrawn as moot.

I. BACKGROUND

On June 16, 1995, SWBT filed Transmittal No. 2470 proposing to provide 155 Mbps of protected bandwidth to a particular customer at individual case basis (ICB) rates. On August 14, 1995, SWBT supplemented the cost support information submitted with Transmittal No. 2470, upon the informal

¹ In the Matter of Southwestern Bell Telephone Company Tariff F.C.C. No. 73, Transmittal Nos. 2470, 2489, CC Docket No. 95-158 (Com. Car. Bur., released October 13, 1995) (DA 95-2156) (Investigation Order).

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recommendation of the Commission staff for a disaggregated listing of SWBT's cost support information. SWBT requested that this additional cost support information be treated as confidential.

The Investigation Order of October 13, 1995 denied SWBT's request for confidential treatment. SWBT filed an application for review of this aspect of the Investigation Order on October 20, 1995.

On November 13, 1995, the customer for which the ICB rates were being filed notified SWBT that it no longer desired the services. Subsequently, on November 28, 1995, SWBT withdrew the material filed under Transmittal Nos. 2470 and 2489 and requested that the Bureau return the supporting material filed under the request for confidential treatment. Thereafter, SWBT received the information from the Bureau for which confidential treatment had originally been requested.

II. SWBT NO LONGER HAS A PENDING REQUEST FOR THE CONFIDENTIALITY OF THE COST SUPPORT DATA.

With the retrieval of its confidential information, SWBT hereby asks that its request for confidential treatment dated August 14, 1995 be withdrawn as moot. With the withdrawal of the request for confidential treatment, the ruling in the Investigation Order that denied SWBT's request for confidential treatment should correspondingly be declared moot. If the Bureau agrees that the issue upon which SWBT filed an application for review of the Investigation Order is now moot, SWBT respectfully requests that its Application for Review be withdrawn as moot.

III. CONCLUSION

For the foregoing reasons, SWBT respectfully requests that its request for confidential treatment dated August 14, 1995, be withdrawn as moot, and that its Application for Review dated October 20, 1995, also be withdrawn as moot.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

By



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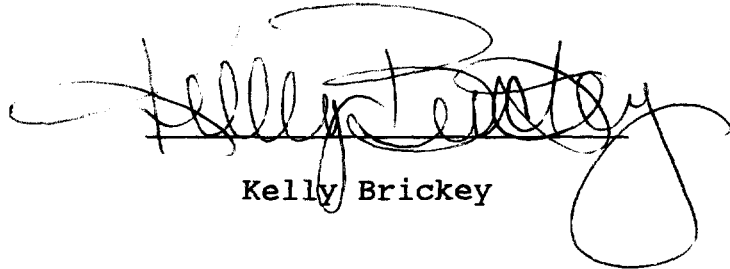
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January 30, 1996

CERTIFICATE OF SERVICE

I, Kelly Brickey, hereby certify that the foregoing "Motion to Close Investigation as Moot", have been served January 30, 1996 to the Parties of Record.



Kelly Brickey

January 30, 1996

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